

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8 are presently active in this case, Claims 1-3 and 8 having been amended by way of the present Amendment.

In the outstanding Official Action, Claim 8 was objected to for repeating a limitation recited in base Claim 1. Claim 1 has been amended to remove the repetitive language. Accordingly, the Applicants request the withdrawal of the objection to Claim 8.

Claim 2 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 has been amended to remove the phrase with the antecedent basis problem. Accordingly, the Applicants request the withdrawal of the indefiniteness rejection.

Claims 1, 2, and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Archambault (U.S. Patent No. 6,567,196) in view of Takeda et al. (U.S. Patent No. 6,091,538) and Tomonaga et al. (U.S. Patent No. 5,878,025). Claims 3 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al. (U.S. Patent No. 6,041,152) in view of Takeda et al. and Tomonaga et al. Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Archambault in view of Takeda et al. and Tomonaga et al. and further in view of Yamamoto et al. (U.S. Patent No. 6,021,235). Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al. in view of Takeda et al. and Tomonaga et al. and further in view of Yamamoto et al. Claim 8 was rejected under 35

U.S.C. 103(a) as being unpatentable over Archambault in view of Takeda et al. and Tomonaga et al. and further in view of Kosaka (U.S. Patent No. 5,675,432). For the reasons discussed below, the Applicants request the withdrawal of the obviousness rejections.

The basic requirements for establishing a *prima facie* case of obviousness as set forth in MPEP 2143 include (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, (2) there must be a reasonable expectation of success, and (3) the reference (or references when combined) must teach or suggest all of the claim limitations. The Applicants submit that a *prima facie* case of obviousness cannot be established in the present case because the cited references, either when taken singularly or in combination, do not teach or even suggest all of the claim limitations.

Claims 1-3 of the present application each recite an optical wavelength division multiplexing and transmission apparatus comprising, among other features, a master rack and at least one slave rack, wherein a number of the optical wavelength signals multiplexed is divided in advance into a plurality of groups in order to be additionally installed with every slave rack.

Claim 1 further recites a master rack that accommodates a first optical wavelength multiplexer to multiplex a group of prescribed optical wavelength signals with each other and to output a first multiplexed signal; and a synthetic optical wavelength multiplexer to multiplex the first multiplexed signal and a second multiplexed signal and to output a synthetic multiplexed signal, and Claim 1 also recites a slave rack that accommodates a

second optical wavelength multiplexer to multiplex a group of optical wavelength signals having a wavelength distribution that is different from that of the group of prescribed optical wavelength signals and to output as the second multiplexed signal.

Claim 2 further recites a master rack that accommodates synthetic optical wavelength demultiplexer to input a synthetic multiplexed signal formed by multiplexing respective multiplexed signals of a group of different optical wavelength, which are grouped with different optical wavelength distributions and to demultiplex and output a first multiplexed signal and a second multiplexed signal; and a first optical wavelength demultiplexer to demultiplex and output a group of optical wavelength signals from the first multiplexed signal demultiplexed by the synthetic optical wavelength demultiplexer, and Claim 2 also recites a slave rack that accommodates a second optical wavelength demultiplexer to demultiplex and output another group of optical wavelength signals from the second multiplexed signal demultiplexed by the synthetic optical wavelength demultiplexer.

Claim 3 further recites a master rack that accommodates a first optical wavelength multiplexer to multiplex a group of prescribed optical wavelength signals with each other and to output a first multiplexed signal, a synthetic optical wavelength multiplexer to multiplex the first multiplexed signal and a second multiplexed signal and to output a first synthetic multiplexed signal, a synthetic optical wavelength demultiplexer to demultiplex and output a third multiplexed signal and a fourth multiplexed signal from the second synthetic multiplexed signal transmitted from another optical wavelength division multiplexing and transmission apparatus through an optical transmission line, and a first optical wavelength demultiplexer to demultiplex and output a group of optical wavelength signals from the third

multiplexed signal output from the synthetic optical wavelength demultiplexer, and Claim 3 also recites a slave rack that accommodates a second optical wavelength multiplexer to multiplex a group of optical wavelength signals having a wavelength distribution that is different from that of the group of prescribed optical wavelength signals and to output as the second multiplexed signal, and a second optical wavelength demultiplexer to demultiplex and output another group of optical wavelength signals from the fourth multiplexed signal demultiplexed by the synthetic optical wavelength demultiplexer.

The cited references, either when taken singularly or in combination, fail to disclose or suggest all of the above limitations. None of the cited references disclose, either singularly or in combination, the above configurations in which a number of the optical wavelength signals multiplexed is divided in advance into a plurality of groups in order to be additionally installed with every slave rack. The Archambault, Clark, Takeda et al., and Tomonaga et al. reference do not teach or suggest the above configurations in which *a number* of the optical wavelength signals multiplexed is *divided in advance* into a plurality of groups *in order to be additionally installed with every slave rack*, as recited in independent Claims 1-3.

Accordingly, the Applicants respectfully request the withdrawal of the obviousness rejections of independent Claims 1-3.


The dependent claims are considered allowable for the reasons advanced for independent claim from which they respectively depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

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Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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